



Docket No.: 213.1143-CIP

UNITED STATES PATENT & TRADEMARK OFFICE

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| Examiner: Unknown | Art Unit: Unknown |
| Applicant: | Hong Zhao, et al. |
| Serial No.: | 10/705,743 |
| Filed | November 11, 2003 |
| For: | POLYMERIC PRODRUGS OF VANCOMYCIN |

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 13, 2004

Sir:

Pursuant to M.P.E.P. §609 and 37 C.F.R. §§1.56, 1.97-1.99, Applicants herewith submit form PTO-1449 (1 page), which lists references which Applicants are aware of for this application. It is noted that Applicants have not enclosed a copy of the U.S. patent cited on form PTO-1449.

This submission does not represent that a search has been made or that no better art exists. While the term "references" is used in citing the documents called to the Examiner's attention herein, Applicants do not make any admission that each or all of them are "prior art" references within the meaning of the statutory and case law.

Applicants reserves the right to contend, where appropriate, that a patent asserted against any claim of the present application is not prior art under the facts and the law.

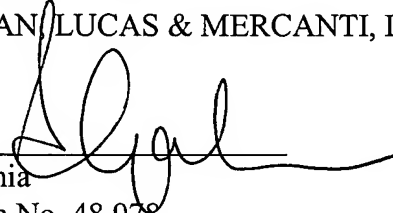
Applicants also reserve the right to present appropriate arguments and/or evidence to establish patentability over the references, should one or more of the references be applied against the claims of the present application.

Applicants request that the Examiner independently determine those items which the Examiner would consider the most pertinent of all the references cited herein.

This Information Disclosure Statement is filed within three (3) months of the filing date of this application and before the mailing of a first Office Action on the merits. Accordingly, this document complies with the requirements of 37 C.F.R. §1.97(b). It is respectfully requested that the references cited in the accompanying PTO-1449 Form be considered and made of record.

Respectfully submitted,

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I hereby certify that this correspondence and/or fee is being deposited with the United States Postal Service as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on January 13, 2004
MUSERLIAN, LUCAS & MERCANTI, LLP

BY: 

Sapna Gadhia

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Docket Number (Optional)

213.1143-CIP

Application Number

10/705,743

Applicant(s)

Hong Zhao, et al.

Filing Date

November 11, 2003

Group Art Unit

Unknown

JAN 15 2004

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | REF | DOCUMENT NUMBER | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|---------------------|-----|-----------------|------------|----------|-------|----------|-------------------------------|
| | | 5,681,811 | 10/28/1997 | Ekwuribe | | | 07/31/1995 |
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FOREIGN PATENT DOCUMENTS

| | REF | DOCUMENT NUMBER | DATE | COUNTRY | CLASS | SUBCLASS | Translation | |
|--|-----|-----------------|------------|---------|-------|----------|-------------|----|
| | | | | | | | YES | NO |
| | A2 | WO 97/04796 | 02/13/1997 | PCT | | | | |
| | A3 | WO 03/040211 A2 | 05/15/2003 | PCT | | | | |
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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| | A4 | Yuichi Ohya, et al., Synthesis and Cytotoxic Activity of Conjugates of Monomethoxy-Poly-(ethylene glycol) End-Capped with Doxorubicin via Ester, Amide, or Schiff's Base Bond, Journal of Bioactive and Compatible Polymers, Vol. 10-January 1995 pages 51-66. |
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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.